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OGC Has Reviewed

Chief of Logistics

27 April 1954

Office of General Counsel

✓ JOB NO.

59-882

Use of Agency Motor Vehicles for the Transportation
of Certain Agency Employees During Other Than Normal
Working Hours

BOX 3

Folder

Vehicles 3

1. You have requested our opinion regarding the legality of using Agency vehicles to provide transportation for certain female employees from within the departmental area to a public transportation terminal during other than normal working hours.

2. The use of Government vehicles for other than official purposes -- which is expressly defined as excluding the transportation of employees between their residences and their places of employment -- is prohibited by statute (5 USC 78(c)). We believe that under the circumstances the use of Agency vehicles for the transportation of employees over any part of that distance is likewise prohibited.

3. In addition, it is well settled that it is the duty and obligation of Government employees to place themselves at their regular places of employment and to return to their residences at their own expense. This principle is for application to Government employees generally with the result that such factors as their sex and hours of employment do not justify exceptions. In this connection, see Comptroller General Decision B-117159, October 20, 1953 (Unpublished).

4. Further, it is our view that utilization of the specific authorities enumerated in Section 10(a)(1) of the Central Intelligence Agency Act of 1949 should be limited to those situations which because of the unique functions assigned to this Agency justify departure from the normal Government rules. This consideration does not appear to be involved here.

5. Accordingly, we must advise that the use of Agency vehicles for the purpose stated is not legally permissible.

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